

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

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GARY MOGEL,	:	
Plaintiff,	:	
	:	
v.	:	Civil No. 5:20-cv-04464-JMG
	:	
CITY OF READING,	:	
Defendant.	:	

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**ORDER**

**AND NOW**, this 27<sup>th</sup> day of October, 2021, upon consideration of Defendant’s Motion for Summary Judgment (ECF No. 21), Plaintiff’s Motion for Partial Summary Judgment (ECF No. 22), and each party’s response to the opposing party’s motion (ECF Nos. 24, 25), **IT IS HEREBY ORDERED** for the reasons set forth in the accompanying Memorandum that each party’s motion is **GRANTED** in part and **DENIED** in part as follows:

1. **JUDGMENT IS ENTERED** that Defendant is a covered enterprise under the Fair Labor Standards Act (“FLSA”).
2. **JUDGMENT IS ENTERED** in favor of Defendant on Plaintiff’s claim that Defendant violated the FLSA’s recordkeeping requirement.
3. **JUDGMENT IS ENTERED** that Plaintiff will be entitled to liquidated damages if he prevails on his claim that Defendant violated the FLSA.
4. In all other respects, the parties’ motions for summary judgment are **DENIED**.

BY THE COURT:

/s/ John M. Gallagher  
JOHN M. GALLAGHER  
United States District Court Judge